

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Donald Anthony Wicker

Docket No. 5:15-CR-36-1D

Petition for Action on Supervised Release

COMES NOW Erica W. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Donald Anthony Wicker, who, upon an earlier plea of guilty to Passing Counterfeit Federal Reserve Notes and Possession of Counterfeit Reserve Notes, both in violation of 18 U.S.C. § 472, was sentenced by the Honorable Thomas D. Schroeder, in the Middle District of North Carolina, on February 14, 2011, to the custody of the Bureau of Prisons for a term of 52 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months under the standard conditions imposed by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Donald Anthony Wicker was released from custody on January 22, 2014, at which time the term of supervised release commenced in the Eastern District of North Carolina. Transfer of Jurisdiction was obtained by the Eastern District of North Carolina on February 6, 2015.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 3, 2013, our substance abuse treatment vendor, First Step Services, notified the probation office that Mr. Wicker had reported to their office to submit a urinalysis and had attempted to use a bottle filled with someone else's urine as his own. When confronted, Mr. Wicker admitted to using a device and advised that he had smoked marijuana on Thanksgiving. When I confronted him later that day about the event at First Step Services, he explained to me that he was nervous he would test positive for marijuana, as he had smoked the substance the week before. On December 18, 2014, Mr. Wicker signed a waiver agreeing to add a cognitive behavioral program condition to his conditions of supervision. As this is his first violation, we recommend that his supervision conditions be modified to include a cognitive behavioral program to assist him in making better decisions for himself. He was offered substance abuse treatment, however, he declined it. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

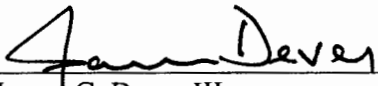
Reviewed and approved,
/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Erica W. Foy
Erica W. Foy
U.S. Probation Officer
310 New Bern Avenue Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8665
Executed On: February 27, 2015

ORDER OF THE COURT

Considered and ordered this 4 day of March, 2015 and ordered filed and
made a part of the records in the above case.


James C. Dever III